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**FILED**

Feb 08 2022

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE: ) CR **4:22-xr-90136-KAW**  
REQUEST FROM BRAZIL. ) ~~[PROPOSED]~~ ORDER APPOINTING  
COMMISSIONER

Upon application of the United States, and upon review of the request seeking evidence pursuant to a request for legal assistance made by Brazil to the United States, and the Court having fully considered this matter,


IT IS HEREBY ORDERED, pursuant to the authority conferred by 18 U.S.C. § 3512 and this Court's inherent authority, that Assistant United States Attorney Maureen C. Bessette is appointed Commissioner of this Court for purposes of executing the request from the requesting foreign authorities to collect evidence, including the obtaining of records and the taking of statements and, if needed, testimony, and to take other acts as necessary to comply with the treaty request. In executing the request, the following rules shall govern:

1. The Commissioner may issue a Commissioner's Subpoena to be served within the United States ordering a person or company to appear, testify, and produce evidence; and the Commissioner may administer oaths in the taking of evidence;

ORDER APPOINTING COMMISSIONER

2. The Commissioner may adopt procedures to collect the evidence requested by the requesting foreign authorities in their request, using procedures provided by treaty, if any;
3. The Commissioner may be accompanied by or represented by persons in the collection of the evidence, including agents of the Federal Bureau of Investigation/Internal Revenue Service, and may be accompanied by representatives of the requesting foreign authorities;
4. A person or company can object by motion timely filed with this Court;
5. The Commissioner may seek such further orders of this Court as are necessary to execute the Request, including orders to show cause why persons served with Commissioner Subpoenas who fail to appear and/or produce evidence should not be held in contempt, and protective orders to regulate the use of evidence collected; and
6. The Commissioner shall certify and submit the evidence collected to the U.S. Department of Justice, or as otherwise directed, for transmission to the requesting foreign authorities.

DATED: February 8, 2022

  
KANDIS A. WESTMORE  
United States Magistrate Judge  
Northern District of California